UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1998/SR.4
30 April 1998

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Eighteenth session

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 April 1998, at 3 p.m.

Chairperson: Mr. ALSTON

later: Mr. RATTRAY

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GE.98-15891 (E)

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Methods of work

1. The CHAIRPERSON said that the small working group that had met during the recess had decided that country rapporteurs should, on an experimental basis, meet with members of the Committee half an hour before the scheduled start of meetings at which country reports were to be considered, in order to discuss what key issues would be raised with delegations from State parties.

2. Mr. Rattray took the Chair.

Initial report of Sri Lanka (E/1990/5/Add.32; HRI/CORE/1/Add.48; E/C.12/Q/SRI.1; in-session document with no symbol containing the replies of the Government of Sri Lanka to questions raised in the list of issues)

3. At the invitation of the Chairperson, the delegation of Sri Lanka took places at the Committee table.

Priority concerns (continued)

4. Mr. ADEKUOYE, referring to the issue of discrimination, pointed out that a question he had asked concerning discrimination against the Tamil minority had not been answered.

5. Ms. JEGARAJASINGHAM (Sri Lanka), commenting on issues relating to women and children, said that the Constitution of Sri Lanka recognized gender equality as a fundamental right. A Ministry of Women's Affairs had been established in 1997, and in 1993 the Cabinet had adopted a Women's Charter based on the principles set out in the Convention on the Elimination of All Forms of Discrimination against Women. A National Committee on Women had been appointed and an action plan prepared with a view to incorporating gender perspectives into policies and programmes.

6. The matter of human rights, and in particular children's rights, enjoyed a high degree of awareness in Sri Lankan society, and incidents of child abuse and prostitution were widely publicized. As in most developing countries, children were sometimes compelled for economic reasons to seek employment, and were consequently vulnerable to abuse and exploitation. Although child prostitution was attributable to the economic situation, it was also related to the recent rise in tourism, which had adversely affected the value system of Sri Lankan society.

7. Sri Lanka had enacted a Children's Charter, which was based on the principles contained in the Convention on the Rights of the Child, and had appointed a national committee to monitor its implementation. Furthermore, a presidential committee had been appointed to address the prevention of child abuse, and legislation was being enacted to establish a child protection

authority. The Ministry of Social Services was handling the matter of the rehabilitation of sexually-abused children, which included training specialists and establishing a model rehabilitation centre.

8. The police department had opened separate units to deal with crimes against women and children, and an emergency help line had been set up to receive complaints. In addition, a special unit of the Attorney-General's Office was responsible for assisting with the prosecution of child abuse cases. The Department of Probation and Child Care Services, the Ministry of Education and the Tourist Board were working together to implement public awareness programmes to combat child prostitution, and growing numbers of cases were being reported to the police.

9. Sri Lanka was in the process of amending its child labour legislation to bring it into conformity with International Labour Office (ILO) standards, and measures had been taken to conduct an analysis of the incidence of child labour, to enhance the enforcement of child labour legislation, and to strengthen organizations and entities working to combat child labour.

10. The National Dangerous Drugs Control Board, set up in 1984, had formulated a national policy for the prevention and control of drug abuse. In 1997, a presidential task force had devised a national policy and programme of action on alcohol and tobacco, which would prepare legislation to establish a national authority whose tasks would include monitoring and health promotion.

11. Finally, the draft new Constitution would further expand the fundamental rights of women and children.

12. Mr. SADI said he was alarmed by the plight of the hundreds of thousands of Sri Lankan women working abroad as domestic servants, many of whom were treated as virtual slaves. That situation indeed constituted a dramatic violation of the right to just and favourable conditions of work. He wondered whether the Government understood the impact on women of being deprived of their children for years at a time, and the impact on children of growing up without their mothers. It would be useful to know whether the Government had undertaken measures to assess or investigate that situation. Despite reports in the press, the Government had failed to take action.

13. The State party had stated that it attributed the increase in child prostitution to a rise in tourism, and that it had envisaged legislative reforms to remedy that problem. A mere legal reform was not sufficient: Sri Lanka should describe what measures, if any, it had taken to arrest and prosecute tourists who lured children into prostitution and Sri Lankan nationals who assisted them in so doing. It should also supply statistical information concerning child prostitution and describe any relevant court decisions.

14. Mr. TEXIER said that, in its written reply to question 17 on the list of issues, Sri Lanka described draft legislation which envisaged raising the minimum working age for children to 15. Although legislation alone could in no way be considered sufficient, the Government should describe what steps it was taking to hasten the adoption of that reform. Crucially, without free,

compulsory education for all Sri Lankans, children would continue to work. Sri Lanka should consider the development of a comprehensive strategy for the eradication of child labour.

15. Ms. JIMENEZ BUTRAGUEÑO said that although she welcomed the replies to question 18 on the list of issues, it would be useful to know what concrete measures the Government had taken to eradicate violence against women. Sri Lanka should describe the nature and content of the law concerning violence against women, what court decisions had resulted therefrom, what sanctions were taken against men who practised violence against women both inside and outside the home, and how police officers and judges conducted themselves in such cases. Finally, was violence against women generally considered normal behaviour, or was it deemed unacceptable?

16. Mr. AHMED said that, although armed conflict admittedly affected all aspects of life, children were confronting especially severe problems in Sri Lanka. According to the United Nations Development Programme (UNDP), 22 per cent of the population, or 4 million persons, were living in poverty. The Committee on the Rights of the Child had expressed deep concern about the high levels of malnutrition: the fact that 23 per cent of children were born with low birth weight naturally meant that the adult population was also suffering from a lack of food.

17. The Committee on the Rights of the Child was also disturbed by the great number of Sri Lankan women who were working abroad, leaving between 200 and 300,000 children in vulnerable and difficult circumstances. The United States Department of State had reported that more than 20,600 children were fully employed. Thousands more were working as domestic servants, and were subject to various kinds of abuse; some had apparently been starved, beaten, sexually abused, and sold into prostitution. In the view of the Committee, measures had to be taken to strengthen labour inspectorates, especially with regard to children, and to combat forced labour by children and child servitude. What plans, if any, did the Government have to eradicate the dire problems affecting the lives of Sri Lankan children?

18. Mrs. JIMENEZ BUTRAGUEÑO inquired what steps the Sri Lankan Government was taking to combat suicide among young people.

19. Ms. WIJEWARDENA (Sri Lanka) said that large numbers of women were working in the Middle East; their problems, and those of their families, were indeed of significant concern to the Government. Those women nevertheless made that choice of their own free will, in order to improve the economic and social status of their families; they had the right to travel where they wished and to work as they wished. The responsibility for ensuring their well-being fell both to the Sri Lankan Government and to the authorities of the host countries. For its part, Sri Lanka had made efforts to broach the matter of women migrant workers at the international level. It had, moreover, ratified the International Convention on the Rights of All Migrant Workers and their Families; that instrument was not yet in force. The Government would provide more detailed information at the next meeting.

20. Ms. JEGARAJASINGHAM (Sri Lanka) said that various Ministries were working together to assist the families of women migrant workers, and to raise social awareness about their plight. Care was being provided to the children of women migrant workers through the provincial social services.

21. With regard to the matter of domestic violence against women, a police desk had been set up; complaints had been received and actions taken. Relevant programmes had also been launched to inform women of their rights.

22. The Government was aware that legislative and policy decisions were not sufficient, and that programmes needed to be launched to implement them on a practical level.

23. Mr. MALIYADDE (Sri Lanka) said that both Government agencies and non-governmental organizations (NGOs) were implementing programmes to combat malnutrition, especially among children. The problem, traditionally, had been a lack of coordination. The Government had recently appointed a National Nutrition Board, which was expected to report to the Cabinet of Ministers every three months. The Board had met and set out a time-frame for the establishment of a national nutrition programme.

24. Malnutrition was indeed a problem of great magnitude in Sri Lanka. It was difficult to combat because the common symptoms of malnutrition, such as stunted growth and swollen bellies, were mistaken as normal characteristics of children. Measures had been taken to monitor child growth, to assist pregnant and lactating mothers, and to introduce the subject of nutrition into school curricula.

25. Ms. PERERA (Sri Lanka) said that legislation was indeed not sufficient to combat child prostitution. Recent amendments to the Penal Code had introduced a number of additional child-related crimes and had established penalties for the purpose of deterrence. Sri Lankan nationals had been convicted and prosecutions against others were pending; foreigners had been arrested and deported. Furthermore, investigations had been undertaken to uncover cases of paedophilia.

26. Child labour legislation was in the process of revision; she agreed that complementary practical measures had to be taken. The delegation would provide more detailed information at the next meeting.

27. A presidential task force, established to address the problem of suicide, had developed a series of recommendations, including a plan for legislative reform, and an action plan for the provision of counselling services to persons with suicidal tendencies. Further details would be provided at the next meeting.

28. Sri Lanka was working with foreign Governments to combat child prostitution and the traffic in children. The Governments of Switzerland and the Netherlands had sent special investigation teams to Sri Lanka to record evidence, so as to facilitate the prosecution of offenders at home. Furthermore, both the Belgian and the Swiss Governments were working with Sri Lanka on developing programmes to protect children against foreign paedophiles. As part of the campaign against child abuse, the Tourist Board

and the Immigration Department planned to publish warnings against such activities in their notices and bulletins. Finally, a team of detectives from Scotland Yard had in 1997 conducted a training course on methods of dealing with cases of child abuse, which emphasized ensuring the welfare of the victim, prosecuting the offender, and sending a clear message to potential abusers that such behaviour was not acceptable and would not be tolerated.

29. Ms. BONOAN-DANDAN, referring to the reply given earlier to question 20 on the list of issues, remarked that the delegation had failed to suggest any reason for the very high incidence of suicide in Sri Lanka. Were efforts being made to sensitize the media in that respect?

30. Mr. ADEKUOYE, also referring to the problem of suicide, wondered whether indebtedness might not be a cause, especially among farmers.

31. The CHAIRPERSON, speaking as a member of the Committee, referred to the issue of domestic violence (question 18) and asked whether Sri Lankan legislation was gender-neutral in that regard. In other words, were the same standards applied to men and to women? Referring to question 15 concerning the problem of HIV/AIDS, he noted that Sri Lanka was rated as a low prevalence country so far as the epidemic was concerned and asked whether any stigma attached to the disease in the mind of the public. Referring to question 21 concerning inheritance, he asked whether the Government was proposing to amend the laws under which children born out of wedlock had no right to share in the intestate estate of the father.

32. Mr. GRISSA said that he wished to reiterate a question he had asked at the previous meeting which had remained unanswered. It concerned the equality of opportunities for employment as between ethnic groups. The Sri Lankan delegation claimed that the principle of national ethnic quotas was being effectively applied, at least in the State sector, but information received from NGOs suggested that Tamils and Muslims in fact accounted for a disproportionately small part of the work force. In that connection, he asked how, in practice, Indian Tamils and "up-country Tamils" were distinguished from Tamils in general.

33. Mr. MALIYADDE (Sri Lanka) said that since 1990 the private sector had displaced the public sector as the country's main employer. In neither area was there any discrimination as to employment opportunities on ethnic grounds. Replying to a further question by Mr. GRISSA, he said that the Government was fully aware of the need to provide development aid to individual regions and had launched an accelerated programme of action in that regard. Unfortunately, people were reluctant to take up employment opportunities in the north of the country because of the situation in that area.

34. Ms. PERERA, replying to questions on the subject of suicide, said that indebtedness was not a widespread cause for suicide, at least among young people. Replying to the question raised concerning the right of children born out of wedlock to inherit from the father, she said that the Government was looking at the existing inheritance law with a view to reforming it in that respect. Either parent was free to leave property to a child, whether legitimate or not.

35. Mr. MALIYADDE (Sri Lanka), replying to questions 22, 23 and 24, said that the introduction of a free-market economy had offered opportunities for self-employment as a means of augmenting individual incomes in addition to wages. The Constitution recognized the right to form and join trade unions and the Trade Union Ordinance acknowledged the promotion, organization or financing of strikes or lock-outs as one of a trade union's legitimate objectives. Referring to the question of social security, he said that considering the vast array of social security schemes available in Sri Lanka, it was difficult to identify any groups that were left out. The schemes included the Samurdhi income supplement programme, non-contributory pension schemes, provident funds, contributory pension schemes, public assistance schemes for disabled and elderly persons without an income, an infant milk food subsidy, a student welfare scheme, free health care for the entire population, free education, including university education, for all and free transport for disabled defence personnel.

36. Mr. TEXIER asked for elucidation of the statement in paragraph 126 of the report (E/1990/5/Add.32) to the effect that the right to form and join a trade union could be restricted in the interests of national security, public order, racial and religious harmony, and national economy. Referring to paragraph 122 of the report, he remarked that the problem of restrictions on trade unions in free trade zones arose in many developing countries and even in some developed ones. It was unfortunately a fact that enterprises in free trade zones often refused to tolerate trade unions and that investors from abroad took advantage of that situation. He also requested the Sri Lankan delegation to expand upon the statement contained in paragraph 133 of the report that a strike was "not illegal" in Sri Lanka unless it was in violation of the Public Security Ordinance, the Industrial Disputes Act or the Essential Public Services Act.

37. Mr. CEAUSU said that, like the previous speaker, he was at a loss to understand how the right to form or join a trade union could be contingent upon the interests of racial or religious harmony. Referring to paragraph 105 on occupational health and safety, he asked for information concerning the frequency of inspections, the powers of inspectors, the frequency of work accidents, and measures taken by inspectors over a period of time. Referring to paragraph 179 of the report, he noted that the Workmen's Compensation Ordinance was not applicable to persons whose wages exceeded Rs. 500 and asked whether such compensation as was payable was paid as a lump sum or monthly, and what authority decided upon the amount of compensation to be paid.

38. Ms. JIMENEZ BUTRAGUEÑO noted that the report gave details of social security arrangements for workers in the government sector and, to some extent, in the agricultural sector but not for the workforce as a whole. In other countries, social security was obligatory in all employment sectors and particularly in industry, where it was often a survival issue.

39. Mr. ADEKUOYE, noting that, according to paragraph 93 of the report, approximately 60 per cent of the total employed population was covered by wages boards, asked what happened to workers in the industries listed in paragraph 96 as not covered by wages boards. While recognizing that the Samurdhi income supplement programme was widely accepted in the country, he said that he had heard criticisms regarding the programme's implementation and

had received the impression that the Tamils were being somewhat neglected. Detailed comments by the delegation on that point would be appreciated.

40. Mr. WIMER asked for information about the status of migrant workers in Sri Lanka. In what sectors were they principally employed? Were there any collective bargaining arrangements in their respect, and did they have access to tribunals or other bodies in the event of violation of their rights?

41. The CHAIRPERSON, speaking as a member of the Committee, noted that, subject to certain restrictions, strikes were "not illegal" in Sri Lanka (para. 133) and asked whether taking part in a strike could be regarded as a breach of employment. Was the employer entitled to dismiss a striker on such grounds?

42. Ms. JEGARAJASINGHAM (Sri Lanka) said that, as stated in the report, workers in the public and private sectors had both pension and Employment Trust Fund (ETF) schemes. Farmers who contributed and enrolled would also receive pensions, and fishermen would receive social security under the fishermen's scheme. Pensions and social security benefits had also been introduced for the self-employed. The schemes in operation covered almost the entire population and reached all target groups. Statistics would be provided in due course.

43. Mr. MALIYADDE (Sri Lanka), responding further to questions 25 and 26 of the list of issues, said that there were no forced evictions to facilitate urban development. The Government had two types of programme involving rehousing, one for the improvement of housing and sanitary facilities for those living in urban slum areas, and the other requiring land for urban development. In the former, either existing locations were improved or the inhabitants were relocated, whereas in the latter, inhabitants were given alternative housing, following a process of dialogue between the urban development authorities and the people concerned. Relocation was always voluntary.

44. In the case of illegal settlements on government land, the Government could either regularize and upgrade the housing facilities in question, as it had done in the past, or it could relocate or rehouse the persons concerned.

45. Mr. WIMER said that he could not accept that there were no forced evictions in Sri Lanka. Any resettlement or relocation decided by a State or a court amounted to a forced eviction, because the people did not leave their homes of their own volition.

46. Ms. PERERA (Sri Lanka) said that, under existing legislation, the Government could take over any premises which it might need for public purposes, once the necessary notices were served and inquiries made. It could not take over property arbitrarily. While such eviction might be described as involuntary, it was carried out within the framework of the law and compensation was paid.

47. Ms. BONOAN-DANDAN said that the Committee had received information from an NGO to the effect that, under the Prevention of Terrorism Act No. 48 and the Emergency Regulations, property could be forfeited, in addition to other

punishments such as imprisonment or fines, in cases where persons were convicted of certain offences. A conviction of conspiracy to overthrow the Government, for example, could, under the Emergency Regulations, be punishable by death or rigorous imprisonment and the forfeiture of all property, the latter decision falling within the mandate of the Inspector General of the Police.

48. According to the same NGO report, the Criminal Detective Bureau of the police had, in July 1996 in Colombo, unlawfully bulldozed and demolished the dwelling of a woman and with it all her household goods and valuables. On 21 March 1997 the police had tried to bulldoze another house but had been prevented by neighbours. The delegation was requested to comment on all three issues.

49. Ms. PERERA (Sri Lanka) replied that provisions similar to those of the Prevention of Terrorism Act and the Emergency Regulations existed in normal criminal law, making forfeiture of property an accepted and legitimate punishment for certain offences. The delegation had no information on the cases of demolition cited and was therefore unable to comment. It would nevertheless endeavour to obtain information in time for the Committee's next meeting.

50. Mr. GRISSA asked what criminal offences carried a penalty of demolition of property.

51. Ms. PERERA replied that it was confiscation not demolition of property that might be a penalty for certain offences. The delegation knew nothing about the cases of demolition referred to and could not say whether or not a court order had been involved.

52. The CHAIRPERSON wondered whether the Sri Lankan courts could order the forfeiture or confiscation of assets in addition to other punishment for drugs offences, as was the case in many jurisdictions.

53. Mr. AHMED said that the thousands of Sri Lankans whose homes had been demolished in the armed conflict formed another category of forced evictions. The problem was particularly serious since the majority of those concerned were innocent victims who had not been able to find alternative shelter. A book entitled "Conflict and Displacement in Sri Lanka in 1997" described, on page 23, the lack of shelter and material for the construction of shelters as a major problem. Over 67,000 people were said to be living in abysmal conditions in converted public buildings or tents, while makeshift shelters put up on land which had been cleared did little more than keep out the sun.

54. Ms. WIJEWARDENA (Sri Lanka) explained that the conflict in the north and east had arisen as a result of grievances on the part of the Tamil community relating to employment, language rights and development. Those issues had been discussed within a democratic parliamentary framework by representatives of the Tamil communities and by national parties whose members comprised Tamil representatives. Consensus had been reached on certain minority rights issues and efforts had continued within a democratic parliamentary framework with a view to achieving a negotiated political settlement. The Tamil people were

not represented by terrorist groups such as the Liberation Tigers of Tamil Eelam (LTTE), which had rejected all the Government's attempts to dialogue, and preferred to use violence as a means of creating a separate State. The Tamil people's rejection of the LTTE's activities and programme of violence had been clearly demonstrated during the recent election in the Jaffna Peninsula of civilian representatives.

55. Against that background, although the conflict in the north and east undeniably affected economic, social and cultural rights as defined in the Covenant, the Government was taking every possible measure to achieve a long-term political solution, an immediate humanitarian solution, a reconstruction/rehabilitation solution and a compensation solution, with the assistance of a large number of international organizations and national and international NGOs, all of which would testify to the Government's tremendous efforts and financial outlay. It was certainly not the Government's wish to prolong the conflict.

56. The provision of shelter for displaced persons was being addressed as part of the larger programme. Statistics could be provided later if the Committee so wished.

57. Ms. BONOAN-DANDAN said that the Committee had not insinuated that the Sri Lankan Government wanted the conflict to continue. Its questions and comments were intended to elicit information which had not been provided in the report or written replies. The Committee wished to know what the problems and difficulties were.

58. Ms. WIJEWARDENA (Sri Lanka) said that those who had prepared the report had been uncertain as to how much detail should be included on political issues. The delegation would now do its best to reply to the Committee's questions in a comprehensive manner.

59. Mr. GRISSA said that the Sri Lankan Government would be judged on the basis of its handling of events in the north and east. It had a responsibility to educate the people there, and to ensure that they were protected and housed. Failure to carry out its responsibilities in respect of the people's economic, social and cultural rights would provide justification for armed conflict.

60. Ms. WIJEWARDENA (Sri Lanka) said that it was because of her Government's great concern for the welfare of Sri Lankans throughout the country, particularly those affected by the armed conflict, that it had, at tremendous cost for a developing country, sought wide-ranging assistance from the international community. There was nothing in its report or replies to indicate that the care of displaced persons in particular was not a matter of the highest priority. Every effort was being made to keep the programme going.

61. Mr. GRISSA asked why none of the districts of the north and east shown on the map issued by the Secretariat had been included in table 9 on page 50 of the report (E/1990/5/Add.32) showing the prevalence of undernutrition. The

fact that the prevalence of stunting was low in areas with a high proportion of Sinhalese was proof in itself that the Sinhalese were better treated and provided for than other ethnic groups.

62. Ms. WIJEWARDENA (Sri Lanka) said that the ongoing conflict made it very difficult to conduct surveys in the north and east; hence statistics relating to those areas had not been included in the table. If the delegation could see a copy of the Secretariat's map it would do its best to answer the question concerning the districts. When a member suggested that it was far easier to conduct health surveys than to hold elections, she replied that elections had been held only recently in the Jaffna Peninsula, after it had been cleared of the LTTE. The Government was making every effort to rebuild democratic institutions in that area to ensure that the people could vote, move around freely and enjoy their rights generally. However, it could not conduct valid or substantial surveys in areas where LTTE activities continued and from which people had been forced to flee.

63. Mr. PILLAY wondered whether the delegation would agree that the problems of the displaced and of homelessness and forced evictions were being compounded by the significant decline in the number of new homes built. The Government did not appear to be doing as much as it might in that area.

64. The CHAIRPERSON said that the delegation would reply to that question at the Committee's next meeting.

Other matters

65. The CHAIRPERSON invited the Committee to take up part II of the list of issues, Other matters. The understanding had been that written answers would not be provided. Instead, the questions listed and others asked in the course of the meeting would be answered orally by the delegation.

66. Mr. GRISSA, speaking on a point of order, noted that the general topics raised in questions 27 to 31 had already been largely dealt with. As time was pressing, he suggested that the Committee should take up questions 32 onwards, which related to specific rights provided for in the Covenant.

67. The CHAIRPERSON said that, as he heard no objection, he would take it that the Committee agreed to take up first the matters relating to article 6, the right to work. He would start by asking for any additional questions in that connection and the delegation would then have an opportunity to respond. The same procedure would be followed in respect of ensuing articles.

Article 6

68. Mrs. JIMENEZ BUTRAGUEÑO asked which sectors of the population were most affected by unemployment. She was particularly interested in the rate of unemployment among young people.

69. Mr. GRISSA said that he would like an explanation of the different sectors of the Sri Lankan economy. He noted that the public sector was apparently divided into three parts, estates, public services proper and State

enterprises. Employment in the public sector was still very high and in fact, as shown in table 2 of the report, seemed to have increased by some 36,000 between 1993 and 1994.

70. Mr. MALIYADDE (Sri Lanka) said that youth unemployment was a serious problem in Sri Lanka. It had been exacerbated by the expansion of free education and the introduction of the mother tongue into the educational system. As a result, large numbers of young people were graduating from schools and universities hoping to find jobs in the public sector. Unwilling to return to the land, they looked first to the public sector for employment, and only secondly to wage employment in the private sector. Unfortunately, employment opportunities, were not expanding at the same rate.

71. The Government had introduced schemes encouraging and assisting the private sector to set up programmes for training and employing educated youths. A scheme had been introduced in 1997 whereby the private sector would offer 12 to 18 months of training, to be followed as far as possible by a job. The Government paid subsistence allowances to the young people during the training period. The Government was also promoting economic activities in rural areas outside the Western Province. Its efforts included encouragement for small and medium-sized enterprises as well as assistance to the self-employed. Several bank loan schemes had been introduced by the Government, offering financial assistance at concessional rates for the start-up of small enterprises. In that connection, the Government was also providing training, information and assistance with marketing. Efforts were being made to promote investment in those regions through the sub-contracting of enterprises already operating there, all with a view to expanding the opportunities available for young people in the private sector.

72. On the figures for public sector employment, he said that the public sector was definitely contracting, even though the introduction of the provincial council system had meant a temporary increase in recruitment. In the areas outside Colombo, there had been an expanded intake in the secretarial and technical categories. He emphasized, however, that the national economy could no longer depend on the public sector to provide employment.

73. The CHAIRPERSON said that commercial opportunities did not seem to be expanding at the same rate as the educated labour force. While it was true that government could not provide for all, it had a duty nevertheless to see that all were provided for. He asked whether the Sri Lankan Government was determined not to involve itself in the conduct of the economy at all costs, even if the challenge was not being met elsewhere.

74. Mr. MALIYADDE (Sri Lanka) said that the Government was not trying to shirk the responsibility of providing employment. However, it could no longer be the country's largest employer. Instead, it was playing a facilitating role, especially in the area of banking, with a view to creating opportunities in the private sector. At the same time, it was spending large sums, as well as foregoing income from taxes, to make young people more employable. In the past, programmes to provide employment for graduates had simply resulted in

their absorption into the public sector before they could become a political problem. The Government could not continue with an approach which had not contributed to national productivity.

75. The CHAIRPERSON asked whether the current policy had actually resulted in expanding job opportunities.

76. Mr. MALIYADDE (Sri Lanka) said that an attitudinal problem existed. Most educated young people felt that they aught to have jobs in the public sector. For reasons of job security, pension schemes and so forth, as well as lack of exposure to the private sector, they preferred government service. It was not easy to convince the private sector that it should absorb them as trainees, while at the same time convincing unemployed educated young persons that they should seek employment in the private sector.

77. Mr. GRISSA asked for an explanation of the term "estate sector", used in paragraph 63 of the report in connection with the fall in unemployment. He also asked what effect the slowing down of population growth in Sri Lanka was having on the growth of the labour force, in particular on the participation rate of women in employment.

78. Mr. MALIYADDE (Sri Lanka) said that the estate sector was the plantation sector. It was treated separately from the rural and urban areas because it had certain special characteristics, in the form of security of employment and other advantages. The slowing rate of population growth was indeed exerting an impact on the labour force. The quality of that force was changing and its aspirations were different. Whereas in the past the growing labour force had resorted to the land, the present generation wanted to find employment elsewhere.

79. Ms. JEGARAJASINGHAM (Sri Lanka), in response to question 32 on job opportunities for persons with disabilities, said that, under the Act on the Rights of Persons with Disabilities, such persons could not be subjected to any discrimination in regard to recruitment for employment or admission to educational institutions. Other measures were also being taken to protect the rights of the disabled. A National Council for Persons with Disabilities had been set up under the Ministry of Social Services. Of its 21 members, 11 were from non-governmental organizations working with the disabled. Several sub-committees of the council had already been established, including one on standards for the built environment, together with regulations to implement those standards, and one on the mentally ill. A number of workshops had been held and the week of 10 to 16 October had been designated national mental health week.

80. A report was being prepared as a follow-up to the World Summit on Social Development on all aspects of the rights and treatment of persons with disabilities in Sri Lanka. A training programme for placement officers was about to be instituted with a view to finding employment opportunities for disabled persons. The Department of Social Services was already running vocational training centres in the various regions and it was hoped that the latest technology could be incorporated in training by the end of the current

year. The Government was well aware of the importance of following up the legislation on the rights of the disabled with efforts to encourage a change of attitude among the public towards persons with disabilities.

81. Mr. PILLAY asked whether there were any statistics for the number of persons disabled as a result of the armed conflict and what steps, if any, the Government was taking to provide them with assistance.

82. Ms. JEGARAJASINGHAM (Sri Lanka) said that the latest figures available from a national survey showed some 4 per cent of the total population to be mildly or seriously disabled. Because of the conflict, no accurate current data were available for the north and east of the country, but the estimate was that about 10 per cent of the population were disabled. The Ministry of Social Services was working to provide rehabilitation services in the conflict area and the parts of the country bordering on it.

83. Mrs. JIMENEZ BUTRAGUEÑO asked whether any special job opportunities, for example, in the civil service or in large firms, were set aside for persons with disabilities, including the mentally retarded.

84. Ms. JEGARAJASINGHAM (Sri Lanka) said that 3 per cent of employment opportunities were supposed to go to persons with disabilities.

Article 7

85. Mr. GRISSA, referring to the issue of minimum wages, said that it was stated in the report (para. 91) that 39 wages boards were currently functioning. Thirty five industries were listed for which those boards determined a minimum wage. Normally, there were only two types of minimum wage in a country: one for agriculture and one for the industrial and service sector. He asked how the Government could keep track of so many boards and enforce the minimum wages so determined. He was anxious to know on the basis of what criteria those minimum wages were determined.

86. The CHAIRPERSON said that, although it had not been required to do so, the Sri Lankan delegation had in fact prepared extensive written responses to the questions relating to other matters. In order to save time, the delegation could perhaps respond to the remaining questions by providing a written summary, in English only, at the next meeting, thus expediting the completion of the dialogue.

87. Ms. BONOAN-DANDAN suggested that, at the next meeting, the Committee should proceed at once to the questions that were still outstanding in respect of its priority concerns, before considering any new written material.

88. The CHAIRPERSON confirmed that the outstanding questions would be taken up first.

The meeting rose at 6 p.m.